



കേരള ഗസറ്റ് KERALA GAZETTE

അസാധാരണം EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
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Thiruvananthapuram,
Wednesday

2024 ഏപ്രിൽ 24
24th April 2024

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11th Medam 1199

1946 വൈശാഖം 4
4th Vaisakha 1946

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No.

1394

IN THE COURT OF THE DISTRICT MAGISTRATE THIRUVANANTHAPURAM

(Present : GEROMIC GEORGE IAS)

PROHIBITORY ORDER u/s 144 of Cr. P.C., 1973

No. DCTVM-2760/2024-S11.

23rd April, 2024.

WHEREAS, the Election Commission of India, vide Press note No. ECI/PN/23/2024 dated 16-3-2024 has declared the schedule for General Elections to Lok Sabha 2024 and the State of Kerala is included in the second phase of the elections and the Election Commission of India vide Gazette Notification No. O. N. 92(E) dated 28-3-2024 has fixed the hours during which the poll be taken in the constituencies as from 07:00 AM to 06:00 PM on 26-4-2024;

AND WHEREAS, the last 48 hours before the polls are crucial for the election machinery to create a conducive environment for free and fair elections by maintaining a constant vigil



in the poll-bound areas to ensure that no unscrupulous elements can engage in nefarious activities and unduly induce and influence the electors;

AND WHEREAS, Section 126 of the Representation of People Act 1951 prohibits public meetings during the period of forty-eight hours ending with the hour fixed for the conclusion of the poll. After the closure of the campaign period, no campaign can take place within the constituency and there shall be restrictions on the presence of political functionaries, campaign functionaries, party workers, procession functionaries etc., who have been brought from outside the constituencies and who are not voters of the constituencies. Therefore, such persons should not continue to remain present in the constituency as their presence after the end of the campaign period may undermine the atmosphere for free and fair elections;

AND WHEREAS, an order under section 144 of Cr. P.C. has to be issued regarding the ban on unlawful assemblies and the prohibition on holding public meetings during the period of 48 hours ending with the hour fixed for the close of the poll, as per the instructions of the Election Commission of India and the restrictions shall also need to be in place during the time when the polled materials are safely transported to the collection centres and thereafter to the strong rooms;

AND WHEREAS, no loudspeakers fitted on vehicles of any kind or any other manner whatsoever shall be permitted to be used in the district during the said period;

AND WHEREAS, no electioneering and setting up of Election booth of candidate shall be allowed within a radius of 200 metres from the polling station and no candidate shall set up more than one election booth beyond 200 metres of a polling station location even if more than one polling station has been setup in the same Polling Station Location or premises;

AND WHEREAS, cellular phones, cordless phones, wireless sets etc. shall not be allowed within the polling stations except for Observers appointed by the commission, micro observers, and other authorized election/police officials and no arms should be carried inside the polling station;

AND WHEREAS, cordless phones, wireless sets etc. shall not be allowed within 100 metres perimeter of the polling stations except for officers on duty;

AND WHEREAS, I am satisfied that there is sufficient reason to believe that unknown miscreants and disgruntled persons may attempt to create trouble and chaos outside the polling stations and thereby interfere in the smooth and fair conduct of the polling process and may thereby cause breach of peace and public tranquillity;

AND WHEREAS, I am satisfied that there is sufficient ground for proceeding under section 144 of the Code of Criminal Procedure 1973 to prohibit the actions mentioned in the pre-para which may be detrimental to public peace and tranquillity and may pose threat to the peaceful conduct of free and fair elections;



ORDER

I, Geromic George IAS, District Magistrate, Thiruvananthapuram, in exercise of the power conferred upon u/s 144 of the Code of Criminal Procedure 1973, do hereby promulgate prohibitory order banning the following activities from 6:00 PM of 24-4-2024 till 6:00 AM of 27-4-2024 in the district of Thiruvananthapuram to ensure free, fair and peaceful conduct of Elections:

- (1) Unlawful assembly and holding any public meetings/rallies.
- (2) Presence of political functionaries and campaigners who are not voters of the constituencies in the district.
- (3) Usage of loudspeakers of any kind whatsoever.
- (4) Displaying any election matter including results of any opinion poll or any other poll survey in any electronic media.
- (5) Use of cellular phones, cordless phones, wireless sets etc. within the polling Station except for Observers appointed by the Commission, micro observers, Officers in charge of law and order, security personnel put on duty near the polling booth, Officer-in-charge of Polling duties and persons deployed for polling duty.
- (6) Use of cordless phones, wireless sets etc. within 100 metres of a polling Station except for officers on duty.
- (7) Electioneering and setting up of Election booth within 200 metre area around the Polling Stations on the date of poll.
- (8) Setting up of more than one Election booth of a candidate beyond the 200 metre distance of a polling station location even if more than one polling stations has been setup at the same Polling Station Location or premises;
- (9) Carrying of arms or indulging in show of arms in Polling Stations or Polling Station neighbourhood except those who are expressly permitted by Section 134 B of Representation of People Act 1951.

The expression “unlawful assembly” appearing in this order will not stand in the way of citizens going about their normal business and chores, voting and celebrating the festival of democracy. The order shall not deter the assembly of persons in the voting area/shopping at marketplaces/cinema halls and other places of entertainment, gathering in the normal course of work/business/marriage ceremonies/funeral rites/gathering for private functions etc. as long as they do not indulge in any illegal activities or foment or cause breach of peace. This shall not restrict house-to-house visits during 48 hours in connection with door-to-door campaigning. The Order shall not apply to agencies/officials of the Government involved in the enforcement of law and order, conduct of elections and maintenance of essential services.



The emergent nature of the cases and circumstances do not permit serving of notice to the concerned in due time and hence this order is passed ex-parte u/s 144(2) of the Code of Criminal Procedure 1973. This order shall come into force with effect from 6:00 PM of 24-4-2024 and will remain in force till 6:00 AM on 27-4-2024. Any violation of the order is punishable by legal action under section 188 of IPC and other relevant provisions of law.

Given under my hand and seal on the day dated 23-4-2024.

(Sd.)

DISTRICT MAGISTRATE.

Copy submitted to.—

1. The Chief Electoral Officer, Thiruvananthapuram for kind information.
2. The General Observer, 19-HPC Attingal.
3. The General Observer, 20-HPC Thiruvananthapuram.

Copy to.—

1. The Inspector General & Commissioner of Police, Thiruvananthapuram City.
2. The Sub-Divisional Magistrate, (Thiruvananthapuram/Nedumangad).
3. The District Police Chief, Thiruvananthapuram Rural.
4. The District Information Officer, Thiruvananthapuram (for making wide publicity).
5. The District Informatics Officer, Thiruvananthapuram (for publishing the order on the official website).
6. The Returning Officer, Attingal HPC.
7. All Executive/Sectoral Magistrates.
8. CA to DM and ADM.

